THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.21208 OF 2006

23.10.2006

Between:

S.Samanthula Narsingam, S/o.Mallaiah
And others

… Petitioners

AND

The Mandal Revenue Officer, Karimnagar
And others

… Respondents

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.21208 OF 2006

ORDER:

The three petitioners filed the instant writ petition aggrieved by the notice dated 29.4.2006 issued by the Mandal Revenue Officer, Karimnagar (MRO), the first respondent herein to D.Vinod Kumar. By the said notice, Vinod Kumar was called upon to submit objections as to why the land admeasuring Acs.10.00 in survey No.439/T of Chintakunta Village in Karimnagar District should not be resumed to the Government, after paying *Ex-gratia* amount. It is the case of the petitioners that the land admeasuring Acs.10.00 in survey No.439/T was initially assigned to Gopal, a freedom fighter, who subsequently alienated Acs.2.00 to Vinod Kumar from whom the petitioners purchased the land as house sites. The petitioners assail the action of the respondents in resuming the land *inter alia* on the ground that without notice, they cannot be dispossessed nor their land can be resumed.

After getting instructions in the matter, learned Assistant Government Pleader for Revenue (Assignment) submits that the matter is still pending before the MRO and, therefore, it would be appropriate to give liberty to the petitioners to raise all their objections before the MRO in respect of the impugned notice No.B/1560/06, dated 29.5.2006. As and when such objections are filed, the MRO shall take them into consideration and pass appropriate orders. Be it also noted that in the event of the MRO and Government deciding to resume the land, the petitioners shall be entitled to compensation as per the provisions of the Land Acquisition Act, 1894, as held by a Full Bench of seven learned Judges of this Court in **LAO-cum-RDO, Chevella Division, Domalaguda, Hyd v Mekala Pandu**[1].

The writ petition, with the above observations and directions, is accordingly disposed of. No costs.

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(**V.V.S.RAO, J**)

October 23, 2006
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[1] 2004(2) ALD 451 (LB)